

10/662,196

P-5540-C1

REMARKS

Reconsideration of the present application and entry of the amendment are respectfully requested. Claims 1 to 18 are currently pending and no claims have been amended.

The Office Action mailed October 7, 2004 addressed claims 1 to 18. Claims 1 to 18 were rejected.

Claims 1 to 18 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 26 to 49 of U.S. Patent No. 5,984,806. The Examiner stated that although the conflicting claims are not identical, they are not patentably distinct from each other because each application claims a golf ball comprising a core, an inner cover layer and an outer cover layer comprising a filler material.

Although Applicants respectfully disagree with the Examiner, in an effort to hasten prosecution, Applicants herein submit a Terminal Disclaimer which disclaims the terminal portion of any patent granting from the instant applications, as required under MPEP § 1490. Applicants respectfully submit that this overcomes the rejection.

The Examiner is invited to telephone Applicants' attorney if it is deemed that a telephone conversation will hasten prosecution of the application.

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CONCLUSION

Applicants respectfully request reconsideration and allowance of each of the presently rejected claims, claims 1 to 18. Applicants respectfully request allowance of claims 1 to 18, the claims currently pending.

Respectfully submitted,

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